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Benjamin K. Semel
Partner

June 14, 2021

Via eCRB

United States Copyright Royalty Judges
Library of Congress
James Madison Memorial Building
101 Independence Ave, S.E.
Washington D.C. 20559-6000

**Re: *Determination of Royalty Rates and Terms for Making and Distributing Phonorecords,
Docket No. 16-CRB-0003-PR (2018-2022) (Remand)***

Letter Concerning Copyright Owners' May 6, 2021 Motion to Compel

To the United States Copyright Royalty Judges:

We write on behalf of the National Music Publishers' Association ("NMPA") and the Nashville Songwriters Association International ("NSAI") (together, "Copyright Owners") concerning Copyright Owners' Motion to Compel Production of Documents and Information from Services, which was filed together with opposition and reply papers on May 6, 2021 (eCRB Docket No. 23896) (the "Motion").

As discussed in the Motion, the Services have refused to produce discovery into basic information that is central to their arguments and directly related to new evidence that they proffered in their initial submission in this remand proceeding. Under the current scheduling order, rebuttal filings are now due in less than three weeks, on July 2, 2021. (See eCRB Docket No. 23413 at 2.) The inability to obtain relevant and central discovery authorized under the scheduling order substantially prejudices Copyright Owners' ability to respond to the Services' arguments and to present the Judges with the full evidentiary picture that refutes the Services' arguments in their initial submission.

Copyright Owners thus respectfully request that an order from the Judges on the Motion also now consider the current scheduling order so as to ensure that we have sufficient time to receive, review and incorporate the discovery sought by the Motion into Copyright Owners' rebuttal filing. We are also available to join a discovery conference on this issue if the Judges wish and at the Judge's convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ben Semel", written over a horizontal line.

Benjamin K. Semel

Proof of Delivery

I hereby certify that on Monday, June 14, 2021, I provided a true and correct copy of the Letter to Board Regarding Motion to Compel to the following:

Johnson, George, represented by George D Johnson, served via ESERVICE at george@georgejohnson.com

Spotify USA Inc., represented by Richard M Assmus, served via ESERVICE at rassmus@mayerbrown.com

Amazon.com Services LLC, represented by Scott Angstreich, served via ESERVICE at sangstreich@kellogghansen.com

Google LLC, represented by David P Mattern, served via ESERVICE at dmattern@kslaw.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

Signed: /s/ Benjamin K Semel